

Building (Consent Authorities) Amendment Bill

Government Bill

As reported from the committee of the whole House

This bill was formerly part of the Weathertight Homes Resolution Services (Remedies) Amendment Bill as reported from the Social Services Committee. The committee of the whole House has further amended the bill and divided it into the following bills:

- The Weathertight Homes Resolution Services (Remedies) Amendment Bill comprising Parts 1 and 2 and the Schedule
- This bill, comprising Part 3.

Key to symbols used in reprinted bill

As reported from the committee of the whole House

New

Subject to this Act,

Text inserted

Hon Clayton Cosgrove

Building (Consent Authorities) Amendment Bill

Government Bill

Contents

	Page
1 Title	1
2 Commencement	1
.	
16 Principal Act amended	1
17 Purpose of this Part	2
18 Territorial authority may act as building consent authority during transition to this Act	2

.

The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Building (Consent Authorities) Amendment Act **2007**.

- 2 Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent.

.

New

16 Principal Act amended This Part amends the Building Act 2004.

New

17 Purpose of this Part

The purpose of this **Part** is to amend the principal Act to—

- (a) extend the period during which a territorial authority may act as a building consent authority (including in relation to a dam) even though the territorial authority has yet to be registered as a building consent authority; and 5
- (b) require a territorial authority registered as a building consent authority to act, until a specified time, as a building consent authority in relation to a dam within the territorial authority's district. 10

18 Territorial authority may act as building consent authority during transition to this Act

- (1) Section 450(3)(b)(ii) is amended by omitting “30 November 2007” and substituting “**30 June 2008**”. 15

- (2) Section 450 is amended by inserting the following subsections after subsection (3):

“(3A) A territorial authority that is registered under section 191 must, until the time specified in **subsection (3B)**, act as a building consent authority in relation to a dam within the territorial authority's district. 20

“(3B) The time is the earlier of the following:

- “(a) the close of the day before the date specified in subsection (3)(b)(ii); and
- “(b) the time at which the regional authority whose region includes the territorial authority's district— 25
 - “(i) is registered under section 191; or
 - “(ii) transfers its functions as a building consent authority in relation to dams in that district to another regional authority, under subpart 4 of Part 3 of this Act or subpart 2 of Part 3 of the Local Government Act 2002. 30

“(3C) If a territorial authority acts as a building consent authority under subsection (1) or **(3A)**,—

New

- “(a) the territorial authority must be taken to have all the functions, duties, and powers of a building consent authority under this Act; and
- “(b) this Act applies with all necessary modifications.
- “(3D) The Governor-General may, by Order in Council, before the date specified in subsection (3)(b)(ii), specify a later date in substitution for that date. 5
- “(3E) An order under **subsection (3D)** is a regulation for the purposes of the Regulations (Disallowance) Act 1989.”
- (3) Section 416(1)(f) is consequentially amended by omitting “30 November 2007” and substituting “the date specified in section 450(3)(b)(ii)”. 10
- (4) The heading to section 450 is consequentially amended by omitting “**Territorial authority may**” and substituting “**When territorial authority may and must**”. 15
- (5) Section 450(2) is consequentially repealed.

.

Legislative history

14 August 2007

Divided from Weathertight Homes Resolution Services (Remedies) Amendment Bill (Bill 123–2) by the committee of the whole House as Bill 123–3A
